
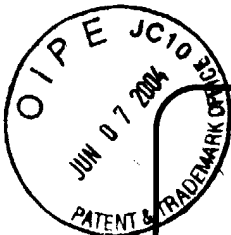


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JUN 09 2004

OFFICE OF PETITIONS**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	09/902,432
Filing Date	July 10, 2001
First Named Inventor	Gelman
Group Art Unit	1632
Examiner Name	Priebe, Scott David
Attorney Docket Number	A30558-A-FWC-A 070165.059

ENCLOSURES (check all that apply)

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form
<input type="checkbox"/> Fee Attached
<input checked="" type="checkbox"/> Amendment / Reply
<input type="checkbox"/> After Final
<input type="checkbox"/> Affidavits/declaration(s)
<input type="checkbox"/> Extension of Time Request
<input type="checkbox"/> Express Abandonment Request
<input type="checkbox"/> Information Disclosure Statement
<input type="checkbox"/> Certified Copy of Priority Document(s)
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application)
<input type="checkbox"/> Drawing(s)
<input type="checkbox"/> Licensing-related Papers
<input type="checkbox"/> Petition
<input type="checkbox"/> Petition to Convert to a Provisional Application
<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address
<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Request for Refund
<input type="checkbox"/> CD, Number of CD(s) _____

Remarks <input type="checkbox"/> | <input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):

Petition for Revival of an Application for Patent Abandoned Unintentionally under 37 CFR 1.137(b) |
|--|---|--|


SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

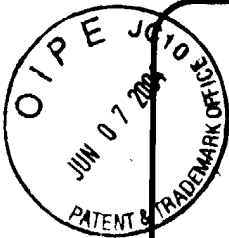
Firm or Individual name	BakerBotts LLP 30 Rockefeller Plaza New York, NY 10112	
Signature	<i>Carmella L. Stephens</i>	Att Name: Carmella L. Stephens PTO Reg: 41,328
Date	June 4, 2004	

CERTIFICATE OF MAILINGI hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on this date: June 4, 2004

Typed or printed name	Carmella L. Stephens		
Signature	<i>Carmella L. Stephens</i>	Date	June 4, 2004

BAKER BOTTS LLP

Please type a plus sign (+) inside this box → 



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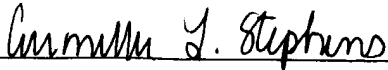
ENCLOSURES (check all that apply)

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form
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<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):

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|--|---|--|


Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

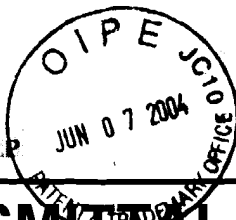
Firm or Individual name	BakerBotts LLP 30 Rockefeller Plaza New York, NY 10112	
Signature		Att Name: Carmella L. Stephens PTO Reg: 41,328
Date	June 4, 2004	

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Typed or printed name	Carmella L. Stephens		
Signature		Date	June 4, 2004

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27
TOTAL AMOUNT OF PAYMENT (\$)**665**

Complete if Known

JUN 09 2004

Application Number	09/902,432
Filing Date	July 10, 2001
First Named Inventor	Gelman
Examiner Name	Priebe, Scott David
Art Unit	1632
Attorney Docket No.	A30558-A-FWC-A 070165.059

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

 Deposit
Account
Number
Deposit
Account
Name

02-4377

Baker Botts LLP

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee required under 37CFR 1.16 and 1.17

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$)**0**

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims		Fee from below		Fee Paid	
Total Claims		- 20 =	0	X		=	0
Independent Claims		- 3 =	0	X		=	0
Multiple Dependent							

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)**0**

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	665
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**665**

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)

Carmella L. Stephens

Registration No.
(Attorney/Agent)

41,328

Telephone 212.408.2539

Signature

Carmella L. Stephens

Date

June 4, 2004

Title: TUMOR SUPPRESSOR GENE

Use Space Below for Additional Information:

Title: TUMOR SUPPRESSOR GENE

Use Space Below for Additional Information:



A30558-A-FWC-A 070165.0597

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JUN 07 2004

UNITED STATES PATENT AND TRADEMARK OFFICE

OFFICE OF THE ATTORNEY GENERAL

Applicant : Gelman et al.

Serial No. : 09/902,432

Examiner: Priebe, Scott

Filed July 10, 2001

Group Art Unit 1632

For : TUMOR SUPPRESSOR GENE

AMENDMENT

CERTIFICATE OF MAILING

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June 4, 2004
Date of Deposit

Carmella L. Stephens
Attorney Name

Carmella L. Stephens
Signature

41,328
Patent Reg. No.

June 4, 2004
Date of Signature

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed December 18, 2002, please consider the following amendments and remarks. This Amendment is being submitted in conjunction with a Petition to Revive an Unintentionally Abandoned application. The Examiner maintains that the Amendment filed on February 13, 2004 failed to address the majority of the outstanding issues set forth in the Office Action of December 18, 2002 and failed to comply with the revised amendment practice. Applicants believe that the presently filed Amendment addresses each of the outstanding issues and, further, that amendments to the claims and specification have been made according to revised amendment practice.